

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

MARTIN D. MOSHIER, III

vs.

CASE NUMBER: 5:06-CV-748 (FJS/GJD)

COMMISSIONER OF SOCIAL SECURITY

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Report and Recommendation of Magistrate Judge Gustave J. DiBianco is ACCEPTED in its entirety, the Decision of the Commissioner is AFFIRMED and the Complaint filed by Martin D. Moshier is hereby DISMISSED.

All of the above pursuant to the order of the Honorable Judge Frederick J. Scullin, Jr., dated the 13th day of May, 2009.

DATED: May 14, 2009



Laurence A. Baum
Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk